## City Council Atlanta, Georgia

07- 🛆 -2527

AN ORDINANCE BY: ZONING COMMITTEE **Z-07-113** Date Filed: 11-9-07

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at 430 and 460 Englewood Avenue, S. E., changed from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, to wit:

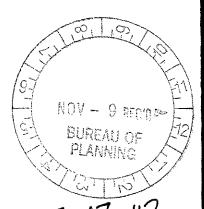
ALL THAT TRACT or parcel of land lying in Land Lot 42, 14<sup>th</sup> District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

<u>SECTION 3.</u> That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

<u>SECTION 4.</u> That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Deed Book 34995 Pg 330
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia



## **EXHIBIT "A"**

## LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 42 of the 14th District of Fulton County, Georgia and being more particularly described as follows: Beginning at a 5/8" rebar found on the north right-of-way line of Englewood Avenue (same having a 60' right-of-way) a distance of 132 feet east of the point of intersection of said north right-of-way line of Englewood Avenue and the east right-of-way line of Mailing Avenue (having a right-of-way of 35 feet east from the center line of the paving of said Avenue); thence running north 1 degree 56 minutes 00 seconds east a distance of 199.94 feet to a 1/2" rebar found; thencerunning north 01 degree 20 minutes 24 seconds west a distance of 200.03 feet to a 5/8" rebar found; thence running south 89 degrees 25 minutes 22 seconds east a distance to 11.39 feet to a point marked by a nail; thence running north 2 degrees 56 minutes 00 seconds east a distance of 31.61 feet to a 1/2" rebar found; thence running south 89 degrees 21 minutes 40 seconds east, a distance of 179 94 feet to a 1/2" rebar found; thence running south 2 degrees 16 minutes 01 seconds west a distance of 2 feet to a 3/4" pin found; thence running south 89 degrees 26 minutes 30 seconds east a distance of 200.60 feet to a point now documented by an "x" marked in concrete which is located on the western line of property now or formerly owned by The Apex Corporation; thence running south 2 degrees 16 minutes 49 seconds west along the western line of property now or formerly owned by The Apex Corporation a distance of 430 feet to an iron pin with brass cap located on the north right-of-way line to Englewood Avenue; thence running north 89 degrees 25 minutes 19 seconds west along the north right-of-way line of Englewood Avenue a distance of 200.5 feet to a 3/8" rebar found; thence running north 89 degrees 14 minutes 45 seconds west along the north right-of-way line of Englewood Avenue a distance of 177.94 feet to the point-of-beginning; being improved property with two buildings located thereon known as 430 and 440 Englewood Avenue, respectively, and being more particularly shown and delineated on plat of surveyor Wilen Manufacturing Co., Inc. prepared by Travis N. Pruitt, Sr., Registered Georgia Surveyor No. 1729, dated August 21, 1980.

CORP/797407.3